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July 29, 1998

The Assistant Commissioner for Patents
Washington, DC 20231

RECEIVED

JUL 28 1998

MATRIX CUSTOMER
SERVICE CENTER

Re: Request for Withdrawal of Office Action
Appl. No.: 08/875,888
102(e) Date: August 6, 1997
For: **New Pharmaceutical Composition
With Anaesthetic Effect**
Inventor: Brodin, *et al.*
Our Ref.: ABA300/13003

Sir:

The following documents are being forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Request for Withdrawal of Office Action; and
2. One return post card.

It is respectfully requested that the enclosed postpaid post card be stamped with the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

Applicants do not believe any fee is necessary for the filing of these documents. However, the Commissioner is hereby authorized to charge any necessary fees to our Deposit Account No. 22-0365. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Vinson & Elkins L.L.P.

Michael A. Sanzo

Michael A. Sanzo
Attorney for Applicants
Registration No. 36,912

MAS:ct
Enclosures

HOUSTON

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AUSTIN

MOSCOW

LONDON

SINGAPORE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6
JRP
8/11/98

In re application of:

Brodin, *et al.*

U.S. Nat'l Phase of PCT/SE97/00566

Int'l Filing Date: April 1, 1997

102(e) Date: August 6, 1997

U.S. Appl. No: 08/875,888

For: **New Pharmaceutical Composition
With Anaesthetic Effect**

Art Unit: 1614

Examiner: Rebecca Cook

Atty. Docket: ABA300/13003

Request for Withdrawal of Office Action

The Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants recently received an Office Action dated July 2, 1998, for the above-captioned application. The application represents U.S. national phase of international application PCT/SE97/00566 which has an earliest priority date of April 12, 1996. The application was filed in the United States on August 6, 1997, in order to establish a date under 35 U.S.C. § 102(e), but Applicants expressly requested that prosecution not begin until the expiration of applicable time limits under the PCT. (See Transmittal Letter, Item 14, filed on August 6, 1997, and page 2 of the cover letter filed on that date, third paragraph from the end). The applicable time limits under the PCT do not expire until 30 months from the priority date of April 12, 1996, i.e., the application is not due to enter into prosecution in the United States until October 12, 1998. Therefore, the present Office Action has been issued prematurely and Applicants respectfully request that it be withdrawn.

If the examiner is missing either the Transmittal Letter or cover letter filed with the application requesting that prosecution not commence until after the relevant PCT time limits have expired, Applicants will be happy to send a photocopy of these letters along with a date stamped postcard indicating the date that they were received by the PTO.

If, for any reason, the examiner feels that the Office Action should not be withdrawn at this time or would like to discuss this matter further, it is respectfully requested that she call Applicants' undersigned attorney at (202) 639-6585.

Respectfully submitted,

VINSON & ELKINS L.L.P.

Michael A. Sanzo

Michael A. Sanzo
Attorney for Applicants
Registration No. 36,912

Date: July 28, 1998

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